

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

P- 1754
PATENT
APPLICATION

Inventor(s): ESCH et al.

Appln. No.: 08

Series Code ↑

870,591

Serial No. ↑

Group Art Unit 1754

Examiner: Hendrickson

Atty. Dkt. PMS 238397

M#

93 200 FH

Client Ref

(Our Deposit Account No. 03-3975)

(Our Order No. 21123

238397

C#

M#

Date:

November 2, 1998

Filed: June 6, 1997
Title: PRECIPITATED SILICASAsst. Commissioner of Patents
Washington, D.C. 20231

Sir:



REPLY/AMENDMENT/LETTER

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

FEE REQUIREMENTS FOR CLAIMS AS AMENDED

1. "Small Entity" statement(s) filed
<input type="checkbox"/> previously
<input type="checkbox"/> herewith
(No.)

	Claims remaining after amendment	Highest number previously paid for	Present Extra	Large/Small Entity	Additional Fee	Fee Code
2. Total Effective Claims	7	**minus 20	0	x \$22/\$11 =	+ 0	103/203
3. Independent Claims	4	***minus 4	0	x \$82/\$41 =	+ 0	102/202
4. If amendment enters <u>proper</u> multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application)	add		+ \$270/\$135 =		+ 0	104/204
5. Original due Date: SEPTEMBER 8, 1998	<input type="checkbox"/> NONE					
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached	(1 mo) (2 mos) (3 mos)	\$110/\$55 = \$400/\$200 = \$950/\$475 =	+ 400			115/215 116/216 117/217
7. Enter any previous extension fee paid since above original due date and subtract		-				
8.			Extension Fee Attached	+ 400		
9. If Terminal Disclaimer attached, add Rule 20(d) official fee			+ \$110/\$55 =	+ 0		148/248
10. If IDS attached requires Official Fee, or if Rule 97(d) Petition	add add	+ \$240 = + \$130 =	+ 0			126 122
11. After-Final Request Fee per rules 129(a) and 17(r)		+ \$790/395 =	+ 0			146/246
12. No. of additional inventions for examination per Rule 129(b)		x \$790/395 ea =	+ 0			149/249
13. Petition fee for			+ 0			
14.		TOTAL FEE ENCLOSED =	\$400			

15. *If the entry in this space is less than entry in next space, the "Present Extra" result is "0".

16. **If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.

17. ***If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown in the heading hereof, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

1100 New York Avenue, N.W.
Ninth Floor East Tower
Washington, D.C. 20005-3918
Tel: (202) 861-3000
Atty/Sec: ASH/mrf

Pillsbury Madison & Sutro LLP
Intellectual Property Group

By Atty: Ann S. Hobbs

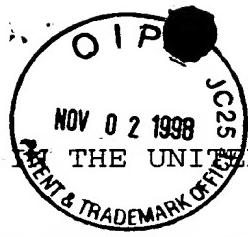
Reg. No. 368388 400.00

Sig:

Fax: (202) 822-0944
Tel: (202) 861-3063

NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments

11/02/1998 PM0617
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PAT-120 12/97



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of

ESCH et al.

Group Art Unit: 1754

Appln. No.: 08/870,591

Examiner: Hendrickson

Filed: June 6, 1997

FOR: PRECIPITATED SILICAS

* * * * *

November 4, 1998

RESPONSE

RECEIVED
GROUP 1300

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1998

Hon. Commissioner of Patents
and Trademarks

Washington, D.C. 20231

Sir:

In response to the Office Action issued June 8, 1998 in the above-referenced application, please consider the following remarks, along with two Declarations under Rule 132 of Dr. Udo Görl, dated September 4, 1997 and October 15, 1998 and filed herewith.

REMARKS

Claims 1 and 7 are pending. Reconsideration is requested.

Claims 1 and 7 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. It is the Examiner's position that in claim 1, lines 7-8, the meaning of the expression "ml ... pH of 7" is unclear. Applicants note that the recitation recites a pH of 9. Notwithstanding this fact, the value indicated by this expression is determined from the Sears number and signifies a consumption of NaOH from a